

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MONSANTO COMPANY and)
MONSANTO TECHNOLOGY LLC,)
)
Plaintiffs,)
)
vs.)
)
E.I. DUPONT DE NEMOURS AND)
COMPANY and PIONEER HI-BRED)
INTERNATIONAL, INC.,)
)
Defendants.)

Case No. 4:09-CV-00686-ERW

DEFENDANTS' MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL

E.I. du Pont de Nemours and Company and Pioneer Hi-Bred International, Inc.
(collectively "Defendants") hereby respectfully move the Court for an order allowing Defendants to file a complete, unredacted Memorandum in Opposition to Monsanto's First Motion to Compel under seal, pursuant to E.D. Mo. L. R. 13.05(A). The basis for this relief is as follows:

1. The Court has previously allowed the parties to file various pleadings and exhibits under seal. On September 18, 2010, the Court entered a docket text Order granting Monsanto leave to file under seal certain exhibits attached to Monsanto's First Motion to Compel.

2. In order for Defendants to respond to the arguments in Monsanto's Motion to Compel, it is necessary to refer to and discuss confidential and proprietary information, including the terms of the parties' license agreements and other confidential documents which are subject to confidentiality provisions and are also filed under seal.

3. Defendants respectfully request that they be permitted to file a complete, unredacted version of Defendants' Memorandum in Opposition to Monsanto's First Motion to Compel under seal in order to preserve the confidentiality of the information contained therein.

Concurrently herewith, Defendants are filing a redacted version of this document (with the confidential and proprietary information removed) in the publicly available court file.

WHEREFORE, Defendants respectfully request that the Court enter an order allowing Defendants to file under seal a complete, unredacted Memorandum in Opposition to Monsanto's First Motion to Compel.

Dated: October 27, 2010

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2010, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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